

REMARKS

Claims 1-13 are pending in the present application. By this Amendment, Applicant has amended claims 1 and 3-13.

The Examiner has required restriction in the present application between:

Group I, claims 1-5, drawn to a control apparatus using a brain wave signal comprising a brain wave pattern comparison means, classified in class 600, subclass 544; and

Group II, claims 6-13, drawn to a control apparatus using a brain wave signal comprising a security determination means, classified in class 600, subclass 544.

For the purposes of examination of the present application, Applicant elects Group I, claims 1-5. Applicant respectfully reserves the right to file a divisional application(s) for the non-elected group of invention.

In light of the amendments to claim 6 made herein, it is respectfully submitted that claims 6-13 should be examined as depending, either directly or indirectly, from claim 1.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number below,


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to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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